

Construction Industry Communication #CIC-08

(From the Building Services Division (BSD) to the Construction Industry)

Subject: **Adoption of the new 1, 2 & 3 family “Residential Code of Ohio” by the City of Columbus certified residential building department. Enforcement date will begin June 1, 2006.**

Date: May 3, 2006

From: Charles Boshane, Interim Building Official (CBO)

Background Discussion

The State of Ohio has created a new statewide residential code for 1, 2, & 3 family buildings and all local jurisdictions are required to follow the newly created uniform residential code by May 27, 2007. The City of Columbus is adopting this new code, which will be effective by our recent legislation on June 1, 2006. Pending BBS approval, the City of Columbus is scheduled to become a certified residential building department on June 1, 2006. Attached to this Construction Industry Communication is an information packet prepared by the Ohio Board of Building Standards for the Industry’s review and reference. Please note: the City of Columbus is currently working with various jurisdictions for changes to our current drawing submittal requirements to promote consistency among various certified building departments. The City of Columbus anticipates there will be an update to our residential plan submission requirements. Additional “trade” (electrical, plumbing, gas and/or HVAC) drawing requirements for plan submittals will follow in another communication as soon as completed. In the near future, the City of Columbus will also be amending specific code sections of the Columbus Building Code to clarify (remove) conflicts to the new “Residential Code of Ohio.”

Requirements for the Construction Industry

Effective June 1, 2006 the City of Columbus will be enforcing the Ohio Board of Building Standards new “Residential Code of Ohio” referred to as “RCO, Residential Code, or Residential Code of Ohio” as described in the attached Board of Building Standard publication.

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Attached: BBS publication - seven (7) pages: “The New Residential Code of Ohio.”
What is it & how will it affect municipalities, townships & counties?



THE NEW RESIDENTIAL CODE OF OHIO

What is it & how will it affect municipalities,
townships & counties?

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HISTORY

Although Ohio has had a commercial building code that applied statewide since the 1950s, the law exempted buildings constructed as 1, 2 & 3 family dwellings. Counties, townships and municipalities were forced to decide if they would, and how to, regulate the construction of new and the renovation of existing homes in their communities. Since the 1950's, many communities which adopted a residential building code allowed their codes to become archaic or outdated because it was impossible to maintain the resources necessary to keep up with technological and safety oriented changes. An example of this is evident in the northeast Ohio region where in the early 1960's the regional planning commission and officials from local communities created the regional dwelling house code. The planning commission and others updated this code periodically. This code was adopted and used by most cities in the region. Unfortunately the regional planning commission abandoned this task and has not updated the regional dwelling house code since 1968.

In the early 1990s, the need for an updated and uniform model code became apparent. The Ohio Building Officials Association (OBOA), with the support of the Ohio Home Builders Association and created a code development process that resulted in an updated model residential building code. This code was adopted as the recommended residential building code for the State of Ohio. The code was published and made available for all Ohio communities. Unfortunately this was a recommendation only. The first edition was published in '93, and then updated in '96, '99 & 2004.

OBOA's model residential building code was adopted by a large percentage of Ohio jurisdictions but there continues to be a few Ohio communities where outdated codes are still being enforced and others where OBOA's code was amended enough to offset the value of the effort toward statewide uniformity.

So, this past year, the Ohio Home Builders Association and others interested in code consistency and statewide uniformity worked with members of the Ohio legislature to enact HB 175, the uniform, statewide residential code bill. The bill was amended, passed both House and Senate, and was signed into law late spring of 2005.

Am. HB 175: Changes in Ohio Law

- The Ohio Board of Building Standards (OBBS) has been given authority and responsibility to adopt rules recommended to it by the Residential Construction Advisory Committee (RCAC) to include:
 - A uniform residential construction code, based upon a national model code, that will apply statewide to structures comprised of detached 1, 2 and 3 family dwellings. This set of rules will apply in each Ohio community that has adopted a residential code (enacted ordinances/resolutions).
 - Requirements that are necessary to establish a certification process for local residential building departments and the residential code enforcement personnel

(The members of the Board are posted on the OBBS website)

- The Residential Construction Advisory Committee has been created and made up of:
 - Three general contractors with residential construction experience
 - Two building officials with experience administering residential codes
 - Fire safety inspector recommended by the Ohio Fire Chiefs Association
 - Contractor with residential construction and remodeling experience
 - Architect with residential design experience
 - Mayor of a jurisdiction enforcing a residential code

(The members of the committee are posted on the OBBS website)

- In the law, the RCAC has been assigned the following duties:
 - Recommend a residential code to the OBBS
 - Advise the OBBS on certification requirements for residential code enforcement personnel
 - Assist the OBBS in providing information to residential contractors and enforcement personnel
 - Advise the OBBS in interpretation of the residential code
 - Provide other assistance it considers necessary
- A 1% assessment of plan review and inspection fees is to be collected by each residential building department and sent to the OBBS for the operating costs of the Board and for providing services, including education, for departments certified by the Board.
- Ohio law now establishes a process to be followed for dealing with construction defects and handling "dwelling actions" by owners.

THE NEW CODE

NAME/TITLE – “Residential Code of Ohio for One-, Two- and Three Family Dwellings” also referred to as:

- RCO
- Residential Code
- Residential Code of Ohio

EFFECTIVE DATE – In all Ohio jurisdictions where building code enforcement occurs for detached one-, two- and three family dwellings, this new code applies on and after May 27th, 2006.

AVAILABILITY – Printed versions of the code will be sold through two publishers:

- International Code Council (ICC, 888/422-7233) – the exact date for printed edition availability has not yet been established but the likely range is late March-early April of 2006. (New date May 17, 2006)
- Thomson/West Publications (800/362-4500) – while the exact date has not yet been set. West expects code availability sometime between mid March to first week of April of 2006. (Now available)

Web Access to the Ohio Codes, including the residential code will be available this spring. The Ohio building, mechanical, and plumbing codes will be accessible first, then the residential code will follow. Once the codes have been posted, they will be found by a link on our website: <http://www.com.state.oh.us/ODOC/dic/dicbbs.htm>. We will be keeping a notice on our website main page so you will know when the codes will be posted/available.

In the meantime...

You can create a package that closely reflects the residential code if you have a copy of OBOA's 2004 version of the Residential Code of Ohio for 1, 2, & 3 Family Dwellings and add the changes adopted by the Board (see our website www.com.state.oh.us/odoc/dic/dicbbs.htm and look for “CODE INFORMATION”, the page you will be connected to will have a further link to “Residential Code of Ohio information”.

COUNTIES & TOWNSHIPS: ENFORCEMENT OF THE RESIDENTIAL CODE

- Counties' and Townships' Authority to Enforce a Residential Code – This law gives counties that enforce the residential code jurisdiction for all unincorporated areas within the county. This means:
 - Townships can become Board certified as a Residential Building Department only if the county it is located in is not certified to enforce the residential code.
 - When a township has been certified by the Board to enforce the residential code, and subsequently, the county applies for and becomes certified to enforce the residential code, the township has no more than one year to cease enforcement of the residential code.
- Counties & Townships can contract with other jurisdictions – As an alternative to establishing a full operational building department, counties and townships (townships located in counties not certified to enforce the residential code) can apply for certification if they have entered into a contract with any county or municipality (already certified to enforce) to provide code enforcement services.

Counties, Townships, & Municipalities that already enforce a residential code ... What has to be done?

- Applying the Correct Code - On May 27, 2006, the new residential code becomes effective and applies in each jurisdiction that is enforcing a residential code.
- Residential Building Departments to Become Certified – Counties, Townships, and municipalities enforcing the residential code must become certified by the Board as Residential Building Departments by May 27, 2007, in order to continue enforcing the residential code.
Current Board certified commercial building departments must also apply to expand their certification to continue to enforce the residential code past the May 27, 2007 date.
- Criteria for a Certified Building Department – See RCO Chapter 1, sections 103.2 thru 103.2.6 for qualification, application and operational criteria.
- Applying for Residential Building department certification – Application forms will be posted on our website by February 1, 2006. The Board will accept applications and begin the review process after February 15, 2006. Any action of the Board on applications will not apply until after the rules become effective on May 27, 2006.
- Collection of a 1% Surcharge for Building Department Support – Residential Building Departments are not required to collect the 1% permit surcharge until the effective date of the department's BBS certification. Jurisdictions applying for residential building department certification have the option to choose May 27, 2007 as the effective date of their certification if the delay would help the department to prepare administratively.
Forms and instructions are on the BBS website.

CERTIFICATION OF PERSONNEL ... WHAT HAS TO BE DONE?

Certified Residential Building Departments Require Certified Personnel – In order for counties, townships, and municipalities to become certified by the Board as Residential Building Departments, the personnel required for enforcement are required to be certified by the Board. Since the deadline for building department certification is May 27, 2007, the personnel required would have to be certified before that date.

Criteria for a Residential Building Department Personnel – Please see RCO Chapter 1, sections 103.3 through 103.3.9.6.4 for the rules related to becoming certified by the Board and maintaining the certification.

All individuals enforcing the residential code (acting on behalf of a residential building department to: interpret the code, review plans, approve or deny plans, and perform inspections) must apply for and become certified in the residential certification categories. The Residential Building Official certification qualifies an individual in a residential building department to perform as the building official, plans examiner, building inspector and, in a municipality, as the plumbing inspector (if the individual has passed the residential plumbing inspector module).

- Personnel currently certified – Qualification and application criteria have been simplified for those holding valid Board certifications. Credit is given as follows:
 - If you are currently certified as a Building Official, Master Plans Examiner or Building Inspector, application to the Board is required but individuals will qualify without further testing and without providing related experience to become a residential building official, plans examiner and/or building inspector.
- Personnel currently certified – Qualification and application criteria are simplified for those holding valid Board certifications. Credit will be given as follows:
 - If you are currently certified as an Electrical Safety Inspector, no application or additional certification is required to perform residential electrical inspections. The current ESI certification applies to both commercial and residential enforcement conditions.
 - If you are currently certified by the Board or the Department of Commerce as a plumbing inspector, application to the Board is required but individuals will qualify without further testing or providing related experience to become a residential plumbing inspector.
 - If you are currently certified as a plumbing, mechanical, or electrical safety inspector, application must be submitted to the Board with the testing as required for each of the applied for certifications but no additional related experience needs to be provided when applying for: residential building official; plans examiner; building or plumbing inspector (see the following testing criteria).

- If you are currently certified as fire protection inspector, application must be submitted to the Board with the testing as required for each of the applied for certifications. Related experience needs to be provided when applying for: residential building official; plans examiner; building or plumbing inspector (see the following testing criteria).
- Personnel currently not certified - Completed applications with required related experience must be submitted. Currently active residential code enforcement experience will be considered by the Board. Passing the listed tests for the applied for certifications is required unless an individual's experience qualifies them for an interim certification. If an interim certification is issued by the Board, the individual has 18 months to pass the required test(s).

Required Residential Test Modules

<i>Residential Certification Type</i>	<i>NCPCCI Test Modules</i>	<i>OR</i>	<i>ICC Test Modules</i>
Building Official	1A (Bldg.), 4A (Mech.) & choose one of two others: 2A (Elec.) or 5A (Plumb.)*		B1 (Bldg.), M1 (Mech.) & choose one of two others: E1 (Elec.) or P1 (Plumb.)
Plans Examiner	1A (Bldg.) & choose one of three others: 4A (Mech.), 2A (Elec.), or 5A (Plumb.)		B1 (Bldg.), & choose one of three others: M1 (Mech.), E1 (Elec.), or P1 (Plumb.)
Building Inspector	1A (Bldg.)		B1 (Bldg.)
Plumbing Inspector	5A (Plumb.)		P1 (Plumb.)

* NOTE: If one individual in a municipal residential building department also wants to perform plumbing inspections as well as act as building official, plan examiner, and building inspector, the plumbing module is required.

Exams can be scheduled by contacting:

NCPCCI – 800/864-5309 or ICC/NCS – 877/783-3926